



1/11 RCE

|  |                             |                         |
|--|-----------------------------|-------------------------|
| <b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b><br>Address to:<br>MAIL STOP RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | <i>Application Number</i>   | <b>10/774,559</b>       |
|  | <i>Filing Date</i>          | <b>February 9, 2004</b> |
|  | <i>First Named Inventor</i> | <b>Biddulph</b>         |
|  | <i>Art Unit</i>             | <b>1742</b>             |
|  | <i>Examiner</i>             | <b>Zheng, Lois L.</b>   |
|  | <i>Attorney Docket No.</i>  | <b>PVOZ 2 00015</b>     |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

**1. Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on
- ii. ☐ Other.
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **three-month extension of time** to respond to the outstanding Office Action.
- c. ☐ Other \_\_\_\_\_

**3. Fees** (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

Claims As Filed, Less Any Claims Canceled By above-indicated Amendment(s)

| (1) FOR   | (2) CLAIMS REMAINING<br>AFTER AMENDMENT LESS<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (3) NUMBER<br>EXTRA | (4) RATE | (5) CALCULATIONS |
|---|---|---------------------|----------|------------------|
| TOTAL CLAIMS<br>(37 CFR 1.16(c))  | 13 - 20 =   | 0                   | x \$25   | = \$0.00         |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(b))  | 3 - 3 =   | 0                   | x \$105  | = \$0.00         |
| MULTIPLE DEPENDENT CLAIMS<br>(IF APPLICABLE)<br>(37 CFR 1.16(d))  |   | ANY -- 0            | x \$185  | = \$0.00         |
| APPLICATION SIZE FEE<br>(FOR APPLICATION THAT EXCEEDS<br>100 SHEETS, FEE FOR EACH GROUP<br>OF 50 ADDITIONAL SHEETS) | 0 GROUP(S)  |                     | x \$130  | = \$0.00         |
| BASIC RCE FEE (37 CFR 1.16(a))  |   |                     |          | \$405.00         |
| TOTAL SMALL ENTITY FEE =  |   |                     |          | \$405.00         |

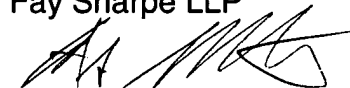
Payment for the filing of this Request for Continued Examination, any appropriate extension of time fees (and if applicable, the search and examination fees) are authorized to be charged to a Credit Card.

The appropriate PTO form 2038 is enclosed. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

Respectfully submitted,

Fay Sharpe LLP



Scott A. McCollister, Reg. No. 33,961  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

February 19, 2008

Date

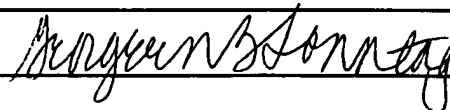
**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being

- ☒ deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.

Express Mail Label No.:

Signature:



Date: February 19, 2008

Name: Georgeen B. Sonntag